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Initials NSP/MKM/jam(cmb)

Docket No.: 2831.2003-000

Date: 03/04/03

This is to acknowledge receipt of the following documents each filed under Certificate of Mailing Procedure 37 C.F.R. 1.8:

☒ SIXTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
    \_\_\_ w/copy  
    \_\_\_ Form PTO-1449 \_\_\_ with references as noted in 1449  
    \_\_\_ Authorization to Charge all Fees  
☒ Other copy of cited application, 10/251, 685, w/ claims

Applicants: Tony W. Ho, *et al.*

Application No.: 09/960,244

Filed: September 21, 2001

Title: Cell Populations which Co-Express...

Date received by the PTO:

@PFDesktop\::ODMA\MHODMA\IManage\379366;1



**COPY**

PATENT APPLICATION

DOCKET NO.: 2831.2003-000

**FILE COPY**

**COPY**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tony W. Ho, Gene C. Kopen, William F. Righter, J. Lynn Rutkowski and Joseph Wagner


Application No.: 09/960,244      Group Art Unit: 1651

Filed: September 21, 2001      Examiner: Sandra E. Saucier

Confirmation No.: 4326

Title: Cell Populations Which Co-Express CD49c and CD90



CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on 03/04/03	
Date	Signature
Carol M. Bowerman	
Typed or printed name of person signing certificate	

SIXTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

**COPY**Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☐ Enclosed herewith is form PTO-1449:
  - ☐ A copy of the cited reference(s) is enclosed.
  - ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
  - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
  - ☐ The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
    - ☐ the explanation provided on the attached sheet.
    - ☐ the explanation provided in the Specification.
    - ☐ submission of the enclosed International Search Report.
    - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
    - ☐ the enclosed English language abstract.

**COPY**

[X] Applicant requests that the following non-published pending applications be considered:

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. 10/251,685, by Tony W. Ho, Gene C. Kopen, William F. Righter, J. Lynn Rutkowski, Joseph Wagner, W. Joseph Herring and Vanessa Ragaglia, filed September 20, 2002, Docket No.: 2831.2003-001

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_  
Examiner

\_\_\_\_  
Date

[X] A copy of each above-cited application, including the current claims, is enclosed.

[ ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

[ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

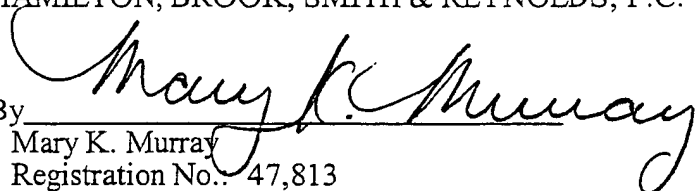
[ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.

[X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

  
Mary K. Murray  
Registration No.: 47,813  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated:

March 4, 2003



**COPY**

Initials NSP/MKM/jam

Docket No 931.2003-000

Date: 8/7/03

This is to acknowledge receipt of the following documents each filed under Certificate of Mailing Procedure 37 C.F.R. 1.8:

X SEVENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

X w/copy

X Form PTO-1449 1 X with reference (AS6) as noted in 1449

   Authorization to Charge all Fees

X Other Check for \$180.00

Applicants: Tony W. Ho, *et al.*

Application No.: 09/960,244

Filed: September 21, 2001

Title: Cell Populations which Co-Express...

Date received by the PTO:

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**COPY**

**COPY**

PATENT APPLICATION  
DOCKET NO.: 2831.2003-000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**COPY**

Applicants: Tony W. Ho, Gene C. Kopen, William F. Righter, J. Lynn Rutkowski and Joseph Wagner

Application No.: 09/960,244      Group Art Unit: 1651

Filed: September 21, 2001      Examiner: Sandra E. Saucier

Confirmation No.: 4326

Title: Cell Populations Which Co-Express CD49c and CD90



CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>8-7-03</u> Date	<u>Jane Morgan</u> Signature
<u>JANE MORGAN</u> Typed or printed name of person signing certificate	

SEVENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☐ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☒ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☒ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
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(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.  
(Filed after payment of issue fee)

**COPY**Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

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- ☒ Enclosed herewith is form PTO-1449:

- ☒ A copy of the cited reference (AS6) is enclosed.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☒ The listed reference, AS6, was cited in the Invitation to Pay Additional Fees in a related international application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
  - ☐ the explanation provided in the Specification.
  - ☐ submission of the enclosed International Search Report.
  - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
  - ☐ the enclosed English language abstract.



**COPY**

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. [    ], by [inventor(s)], filed [    ], Docket No.: [    ]  
 \_\_\_\_ U.S. Patent Application No. [    ], by [inventor(s)], filed [    ], Docket No.: [    ]  
 \_\_\_\_ U.S. Patent Application No. [    ], by [inventor(s)], filed [    ], Docket No.: [    ]

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

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Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mary K. Murray  
 Mary K. Murray  
 Registration No.: 47,813  
 Telephone: (978) 341-0036  
 Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated:

August 7, 2003

PTO-1449 REPRODUCED

SEVENTH SUPPLEMENTAL INFORMATION  
DISCLOSURE CITATION  
IN AN APPLICATION

August 6, 2003

(Use several sheets if necessary)

ATTORNEY DOCKET NO.  
2831.2003-000APPLICATION NO.  
09/960,244APPLICANT  
Tony W. Ho *et al.***COPY**FILING DATE  
September 21, 2001CONFIRMATION NO.  
4326GROUP  
1651

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AS6

Ross, J.A., *et al.*, "Phenotypic Mapping of Human Mesothelial Cells," Medline Abstract, Accession Number 200113945, Document Number 20113945, *Adv. Peritoneal Dialysis*, 14:25-30 (1998).

EXAMINER

DATE CONSIDERED